

UNITED STATES DISTRICT COURT

Southern

District of

Texas

KELLER WILLIAMS REALTY, INC.

v.

CHARLES LAPEER, ET AL.

**SUMMONS IN A CIVIL CASE**

CASE NUMBER: 4:08-CV-1292

TO: (Name and address of Defendant)

Charles Lapeer a/k/a Charles Lapierre  
14781 Memorial Drive, Suite 895  
Houston, Texas 77079

■

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

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an answer to the complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

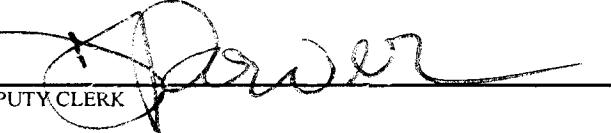
APR 29 2008

Michael N. Milby

CLERK

DATE

(By) DEPUTY CLERK



AO 440 (Rev. 10/93) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE
NAME OF SERVER ( <i>PRINT</i> )	TITLE

*Check one box below to indicate appropriate method of service*

**G** Served personally upon the defendant. Place where served: \_\_\_\_\_ See attached affidavit.

**G** Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_

**G** Returned unexecuted: \_\_\_\_\_

**G** Other (specify): \_\_\_\_\_

**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

KELLER WILLIAMS REALTY, INC., §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. 4:08-CV-1292  
§  
CHARLES LAPEER a/k/a CHARLES §  
LAPIERRE, individually and d/b/a KELLER §  
WILLIAMS FOLDERS, KW FOLDERS, §  
PANDORA FOLDERS, LIBERTY §  
FOLDERS, REALTOR FOLDERS and §  
REALTORFOLDERS.COM and JOHN §  
RICHARDS, individually and d/b/a KELLER §  
WILLIAMS FOLDERS, KW FOLDERS, §  
PANDORA FOLDERS, LIBERTY §  
FOLDERS, REALTOR FOLDERS and §  
REALTORFOLDERS.COM §  
§  
Defendants. §

**AFFIDAVIT OF JASON P. BLOOM**

BEFORE ME, the undersigned authority, on this day personally appeared JASON P. BLOOM, who, being by me duly sworn, stated as follows:

1. My name is JASON P. BLOOM. I am more than 21 years old, and I have never been convicted of a felony or of any crime involving moral turpitude. I am fully competent to make this Affidavit under oath, and all of the facts set forth in this Affidavit are based on my personal knowledge and are true and correct.
2. I am trial counsel for Plaintiff Keller Williams Realty, Inc. in the above-styled matter.
3. Pursuant to the Court's July 31, 2008 Order (Dkt. #11) in the above-referenced matter permitting service of process on Defendants by electronic mail, on July 31, 2008, I

forwarded copies of the Original Complaint, Summons, Civil Cover Sheet, and the Court's July 31, 2008 Order to Defendants Charles Lapeer a/k/a Charles Lapierre and John Richards at the following e-mail addresses *artwork@videotron.com*, *sales@realtorfolders.com*, *impressions@videotron.ca*, *artwork@realtorfolders.com*, and *pandorafolders@videotron.ca*.

4. The e-mail attaching the Complaint, Summons, and Civil Cover Sheet was successfully transmitted to all of the above-listed e-mail addresses with the exception of *impressions@videotron.ca* and *pandorafolders@videotron.ca*. With respect to the latter two e-mail addresses, I received messages from the system administrator that the message was "larger than the current system limit or the recipient's mailbox was full."

5. Based upon the successful transmission of the e-mail, with all attachments, to the addresses *artwork@videotron.com*, *sales@realtorfolders.com*, *artwork@realtorfolders.com*, and based upon my personal knowledge of Defendants recent activities involving these e-mail addresses, I believe that Defendants received the Complaint, Summons, and Civil Cover Sheet on July 31, 2008, and that Defendants were put on notice of the above-styled suit by that date, at the very latest.

Further affiant saith not.



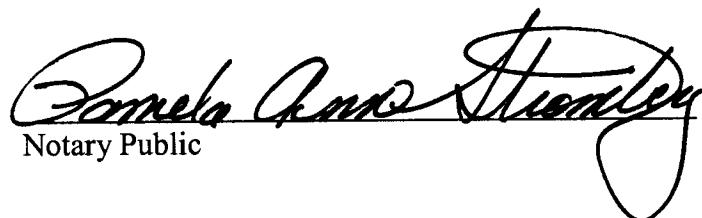
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JASON P. BLOOM

STATE OF TEXAS                                   §  
   §  
COUNTY OF DALLAS                           §

Before me a notary public on this day personally appeared Jason P. Bloom, Esq., who is known to me, and who acknowledged to me that he had signed the Affidavit and that all of the statements in the Affidavit are within his personal knowledge and are true and correct.

Given under my hand and seal of office this 27th day of August, 2008.

  
Pamela Ann Stromberg  
Notary Public

(SEAL)

